



REMARKS

The Applicants note with appreciation the allowance of claims 1, 3-6 and 9-20 in the most recent Office Action. The Applicants draw the Examiner's attention to claims 25-28, which were allowed in the Office Action dated June 5, 2000, and claim 72, which was objected to as being dependent on (now allowed) claim 1. No mention of these claims was made in the most recent Office Action, and the Applicants want to be reassured that these claims are still pending and now in condition for allowance.

Claim 23 stands rejected under 35 USC 112, second paragraph, due to a lack of antecedent basis for the phrase "said first elastic member". Since by this amendment claim 23 has been cancelled, the Applicants submit that this rejection is mooted.

Claims 21-24 stand rejected under 35 USC 102(b) as being anticipated by U.S. patent 5,204,004 to Ozmat. The device of Ozmat relates to a system for dissipating heat from semiconductor chips, where such system is in the form of a metal matrix composite in thermal contact with a metallic sponge. The Examiner noted that the composite could have inherent spring element properties. Since by this amendment claims 22-24 have been cancelled, the Applicants submit that this rejection as to those claims is mooted. Regarding claim 21, please consider the following remarks in conjunction with the claim amendment above.

The metal matrix composite plate 13 of Ozmat is described by the patentee at column 2, lines 63 to column 3, line 1 as one or more layers of a metal matrix (preferably aluminum or copper) surrounding aligned, non-touching carbon fibers. The metal matrix composite rests on top of an open cell wire mesh sponge, which could be of either aluminum or copper, as discussed at column 3, lines 16-21 and 37-47. The Applicants submit that while they consider the *metallic sponge portion 19* of the device in Ozmat (of which Fig. 2 is representative) to comprise interwoven threads, as well as have inherent spring element properties, they believe that the *metal matrix composite portion 13* to be devoid of both. Moreover, none of the materials identified by Ozmat are elastomeric, in either the metal matrix composite portion or the metallic sponge portion. By way of contrast, claim 21 specifically requires the inclusion of both elastomeric and conductive materials as part of the interwoven spring element. Support for this position is found by reference to Fig. 18 in the present application, which shows a spring element 22 with conductive threads 126

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interwoven with elastomeric threads 110. Thus, the instant claim is not anticipated by the device of Ozmat. Nor could the device of claim 21 be considered to be obvious in light of a teaching based on the Ozmat patent, since the latter teaches away from using elastomeric material, which are traditionally categorized as nonconductors, in the present class of heat transfer devices.

Regarding new claim 74, which depends from and further limits claim 21, the Applicants submit that for the same reasons applied to claim 21, this claim too is allowable. It finds its support from page 4, lines 8 through 13 of the original specification.

CONCLUSION

Applicants respectfully submit that, in view of the above amendments and remarks, claims 1, 3-6, 9-21, 25-28, 72 and 74 in the application are now in condition for allowance. The Examiner is encouraged to contact the undersigned to resolve efficiently any formal matters or to discuss any aspects of the application or of this response. Otherwise, early notification of allowable subject matter is respectfully solicited.

Respectfully submitted,

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